

REMARKS

This is in response to the Office Action dated April 15, 2008. Claims 1-36 are pending. Claims 1-18 stand rejected in the outstanding Office Action. Claims 1 and 9 have been amended.

The Examiner is respectfully requested to consider the Information Disclosure Statement filed July 2, 2008.

The rejection of claim 9 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement, is respectfully traversed. Claim 9 has now been amended to make it clear that the longitudinal axis of the light emitting molecules is perpendicular to a direction that is vertical to the opening 124b1 in the back electrode, see Fig. 23A of the specification, to moot the rejection.

The rejection of claim 1 under 35 U.S.C. §112, second paragraph, as allegedly being indefinite, is respectfully traversed. The Examiner asserted that the term “substantial portion” is not defined in the specification and therefore is indefinite. Claim 1 has now been amended to make it clear that it is the anode electrode 124a of the EL element 120 and the photoelectric conversion layer (not given a reference number in Fig. 1) of the light receiving element 130 that are substantially coplanar.

The rejection of independent claim 1 as allegedly being anticipated under 35 U.S.C. § 102(b) by Yamazaki et al. (US 7,030,551) is respectfully traversed. Yamazaki fails to disclose or even remotely suggest each and every limitation set forth in the claims. Anticipation requires that “each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference”, *Verdegaal Bro. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987) (MPEP § 2131).

The Examiner stated that the entire bottom of the light emitting device is clearly coplanar with the entire top of the light receiving device in Fig. 18B of Yamazaki. However, in Yamazaki's device, the anode electrode 3106 is on an entirely different plane than the photoelectric conversion layer of the photodiode 3104, as can be seen better in Fig. 19A. This is because there is an intervening layer 3107 that clearly separates the two in the vertical direction. In contrast, in the claimed device, the light emitting device and the light receiving device are formed on the same substrate 11, with the anode electrode 124a and the photoelectric conversion layer being substantially coplanar. In Yamazaki's device the two elements are not formed on the same substrate 3103.

For the above reasons, claim 1 is allowable.

It is respectfully requested that the rejection of claims 2-18, all dependent from claim 1, also be withdrawn.

In view of the foregoing and other considerations, all claims are deemed in condition for allowance. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application.

UCHIDA
Appl. No. 10/520,363
August 11, 2008

Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

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